



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

November 18, 2014

Two Farms, Inc.
3611 Roland Avenue
Baltimore, Maryland 21211

Re: Royal Farms Store #186 and Canton Car Wash
Waiver Petition WP-15-058
(Site Development Plan SDP-14-013)

Dear Sir or Madam:

The purpose of this letter is to inform you that the Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.156(g)(2) of the Howard County Subdivision and Land Development Regulations. Waiver approval would reactivate the site development plan and allow the petitioner to submit additional information to the Subdivision Review Committee agencies to allow the agencies to decide whether to approve the plan beyond the previously-established submission deadline date of August 21, 2014.

As of the date of this letter, the Planning Director approved your request to waive Subsection 16.156(g)(2), subject to the following conditions:

1. Petitioner shall address PDox comments and plan markups referenced by our letter of July 7, 2014 by a revised plan submission **on or before January 7, 2015**.
2. Petitioner shall add a general note to SDP-14-013 referencing this waiver petition, the section waived and conditions of approval.

Advisory comment: Based on the reactivation and extension of SDP-14-013, Waiver Petition WP-14-080 remains valid as long as SDP-14-013 remains in active processing.

Our decision to approve the waiver was made based on the following justification:

Extraordinary Hardship or Practical Difficulty Would Result from Strict Compliance with the Regulations.

Extraordinary hardship and practical difficulty to the petitioner would result if the waiver was denied and strict compliance with the regulations enforced. Strict compliance with the regulations would result in the plan being voided and the petitioner being forced to submit a new site development plan and application for the proposed work. Delays caused to the petitioner resulted from issues relating to site design, including the need for a Design Manual waiver. A case may be made for governmental delay as a result of the Design Manual waiver approval process; however the petitioner chose to submit a waiver petition to allow for extension of the deadline.

Two Farms, Inc.
November 18, 2014
Page 2 of 2

Waiver Approval will not be Detrimental to the Public Interest

Now that the design conflicts are resolved and the plan is ready to proceed, waiver approval will help ensure that the plan is submitted and reviewed in a timely fashion, which is in the public interest. The plan will be reviewed by the Subdivision Review Committee agencies for compliance with all current regulations. Waiver approval will result in no adverse impact to surrounding properties, the adjacent community, or the County as a whole.

Will Not Nullify the Intent or Purpose of the Regulations

Approval of this waiver will not nullify the intent or purpose of the regulations.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on all related plats and site development plans. This waiver will remain valid until January 7, 2015.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
Paul Johnson – Office of Law
MRA
Nichole Galvin, Esq.
Chris Alleva
Katherine Taylor, Esq.
Sang Oh, Esq.
F-14-018 and SDP-14-013 files